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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

In re D.F., a Person Coming Under the
Juvenile Court Law.

THE PEOPLE,

Plaintiff and Respondent,

v.

D.F.,

Defendant and Appellant.

D074263

(Super. Ct. No. J-257618)

APPEAL from an order of the Superior Court of San Bernardino County, Winston
Keh, Judge. Affirmed.

Kendall Dawson Wasley, under appointment by the Court of Appeal, for
Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Defendant D.F.'s appointed appellate counsel has filed a brief asking this court to independently review the record for error as mandated by *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*). We affirm the order.

FACTUAL AND PROCEDURAL BACKGROUND

In January 2015, at age 16, D.F. was declared a ward of the juvenile court and placed on probation. In March 2016, D.F. was arrested for felony firearm possession in violation of Penal Code section 29610.¹ As a result of this probation violation, he was continued a ward of the juvenile court, custody was removed from his mother, and he was ordered to be placed in a residential rehabilitation program called Gateway. In July 2016, while on the waiting list for Gateway, a subsequent petition was filed alleging D.F. had committed first-degree burglary (§ 459) and grand theft of a gun (§ 487, subd. (d)(2)) in February 2016. On July 25, 2016, D.F. admitted he violated section 459, and the juvenile court dismissed the second allegation. D.F. was continued as a ward and entered the Gateway program the following day.

In January 2018, D.F. promoted from Gateway "after completing most required components." At that time he was again continued a ward of the juvenile court and remained on probation. A non-appearance court review was set for April 10, 2018, and the juvenile court received a memorandum for the review hearing from D.F.'s probation officer. The probation officer reported that during the first month and a half after D.F. was promoted out of the Gateway program, he had a stable job and had made strides

¹ Subsequent undesignated statutory references are to the Penal Code.

toward a stable life, living with his mother and girlfriend. During this period, he was reasonably compliant with checking in with probation. However, at the end of February 2018, a shooting occurred at his mother's house and D.F. failed to remain in touch with his probation officer. On March 7, 2018, D.F., who was then 19, was arrested in Clark County, Nevada on an adult warrant, based on allegations of murder, attempted murder, and active participation in a criminal street gang. D.F. was transferred to the San Bernardino County jail, where he remained at the time of the non-appearance juvenile court review.

The juvenile court signed the non-appearance order on April 25, 2018, discharging D.F. as a ward of the juvenile court and finding that he had not successfully completed probation. On June 13, 2018, D.F.'s trial counsel requested a hearing seeking to seal his juvenile court records under Welfare and Institutions Code section 786. At the June 20, 2018 hearing, the People opposed D.F.'s sealing request and the juvenile court denied the request. D.F. filed a timely notice of appeal of the denial order.

DISCUSSION

As indicated, appointed appellate counsel filed a brief pursuant to *Wende, supra*, 25 Cal.3d 436 and *Anders v. California* (1967) 386 U.S. 738 (*Anders*) summarizing the proceedings below and indicating she was unable to find any reasonably arguable issues for reversal or modification of the order on appeal. We granted D.F. permission to file a brief on his own behalf. He has not responded. Our review of the record as mandated by *Wende* and *Anders* disclosed no reasonably arguable appellate issues. Competent counsel represented D.F. on this appeal.

DISPOSITION

The order is affirmed.

O'ROURKE, J.

WE CONCUR:

McCONNELL, P. J.

IRION, J.